



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

---

## MINUTES

**Call to Order:** Mayor Keller called the meeting to order at 7:30 PM. Present were Councilmembers Irons, Mandel, Petito, Schulp, and Wegner. Also present was Administrator Pratt, Bert Zbar of the *Bugle*, and a number of Town residents.

**Approval of Agenda:** Mayor noted the need for an executive session at the conclusion of the regular agenda. The Council approved the revised agenda without objection.

### **Presentations by Residents:**

- Resident Alison Pearce reported on behalf of the Garrett Park Cooperative Nursery School (Nursery School) that work on the Community Center was progressing well, with this weekend being the time for a major effort to the School's equipment moved into the building. Ms. Pearce invited the Council and Mayor to an informal ribbon cutting event at 8:45 on Tuesday, 01/17. Ms. Pearce also noted that there was concern about Nursery School students being dropped off at a "new", unfamiliar building, so an open house had been scheduled for Monday, 01/16, from 3:00 - 6:00 PM, for member families to familiarize their children with the renovated facility, and that the Council and Mayor are welcome. Ms. Pearce also reported that the financial plan was going well, with loan repayment to start this month, and that it was expected that the percentage of Garrett Park students attending the school would be increasing in the future.
- Resident Henri Keller reminded the Council of the Film Society's presentation of the movie "Waitress" this coming Friday.
- Resident Barbara Jackson spoke to the Council concerning possible problems for the Town when it accepted grants from the state for parks and open space, noting that pressure from a growing population in our area has led to state concern about the shortage of open space, and that Town parks could be opened up to the "state population" as a result of the Town having accepted state grants in the past. Ms. Jackson stated that she wants the Town to focus on maintaining Town property for Town residents, noting if we want to keep the Town the way it is, the Town needs

to be cautious; she expressed her concern about POSCO consideration of applying for a State grant for renovating Cambria Courts. Councilmember Schulp stated that he had spoken to residents who share these concerns and, noting the strings attached to accepting state funds, he felt that applying for a state grant for Cambria Courts was not the best thing for the Town to do. Resident John King asked which Town properties might be affected? Councilmember Schulp noted that Program Open Space grants had been obtained for the Cambria Park playground, improvements to Cambria Park, and the Pedestrian Plaza at Penn Place. Resident Michael Lutkenhouse asked what the expected lifetime of these improvements might be. Councilmember Petito noted that lifetime calculations for improvements were usually applied to land owned by 3<sup>rd</sup> parties. Mayor Keller suggested that the Parks and Open Space Committee's charrette on Cambria Court should go forward as scheduled on January 28<sup>th</sup>, as resident input would always be helpful. Councilmember Petito agreed, noting the importance of resident input, and pointing out that the issue of funding should be treated as a separate issue.

**Mayor's Report:**

- Mayor Keller reported that the Garrett Park Elementary School (GPES) reopened on January 4, and that he and residents Sal Cortes and Jim Fitzgerald observed the traffic and pedestrian flow to see how things went with the new layout at the school; they felt that things went reasonably well. The Mayor noted that the GPES needs to encourage students to walk to school whenever possible in order to reduce traffic volume.
- Mayor Keller urged Councilmembers to visit the Community Center, reporting that the town crew has painted stripes in the parking area and power-washed the playground equipment. The Mayor also told the Council that a significant issue remaining to be dealt with was the drainage around the Community Center: the architect will submit a design for proper drainage; Dan Steadman of Cylos, Inc. has given estimates on curb and gutter work around the circle and we will seek Cylos' estimate for installing drainage pipes and inlets. Also, the strip on the south side of the Community Center has been cleared and Montgomery County Public Schools (MCPS) needs to re-grade the area, which will then be available for an appropriate use. The Mayor recommended that the area be stabilized with sod or woodchips and that the Town should do nothing immediately, waiting to see how the public uses the area.
- The Mayor reported that he had visited the Archives and met with some of the volunteer students who had been assisting the Archives Committee in various ways, noting that those he met were exceptional. Mayor Keller also said that he was very impressed by the amount of work accomplished by the Archives Committee in the short time it has been established, and thanked members Marion Green and Glenda Ingham, who have recently

resigned, for their service, and asked that any resident interested in serving on the Archives Committee should contact him or Councilmember Mandel.

- Mayor Keller noted that the Town is one sponsor of the annual Montgomery County Martin Luther King, Jr. Day observance event, to be held at Strathmore Music Center on Monday the 16<sup>th</sup>.

**Councilmember's Reports on Areas of Responsibility:**

- Councilmember Mandel spoke about the Railroad Quiet Zone program that allow communities to reduce or eliminate train horns at level crossings under limited circumstances, reporting that the Randolph Hills Civic Association has also been interested in this, and that he and a representative from Randolph Hills had recently met with the Western Montgomery Regional Services Center staff to discuss the matter.
- Councilmember Mandel also discussed the issue of the proposed reduction in the number of MARC trains that stop at Garrett Park, including the results of a public meeting on January 5 in Kensington with MARC representatives. Councilmember Mandel will take the lead in drafting a letter opposing cutbacks in MARC service to Garrett Park.

**Approval of Minutes:**

- Councilmember Wegner **MOVED**

That the minutes of the 12/12/2011 Regular Council Meeting be approved as corrected. The motion was seconded by Councilmember Irons and was **PASSED** unanimously.

**Action/Discussion:**

- Capital Projects Update - Mayor Keller reported that Cylos, Inc. has signed a contract for the repair of the Shelley Court and North Kenilworth storm drains, that the Kenilworth-Oxford sidewalk was completed in a timely manner, and that necessary tree root protection had been well installed on Oxford St.
- Adoption of Ordinance 2011-05 (Continuance to February Meeting; Setting Date for Public Hearing; Notification of County Council) - Mayor Keller noted that the ordinance was introduced at the last meeting, but will not be adopted tonight. As required by the Town Charter, a decision to defer to a given date must be made. Councilmember Irons asked for comments and discussion of the introduced ordinance, noting that she had received written comments from Councilmembers Mandel and Wegner. Councilmember Petito suggested that Councilmember Irons comment on her recent email to the Council. Extended discussion followed of various elements within the introduced ordinance. Mayor Keller asked if it was the sense of the Council to get more information in the next few weeks, to work out the details of amending the introduced ordinance at the Council work session on January 23<sup>rd</sup>, and to develop possible changes in the

ordinance for consideration at the February 12<sup>th</sup> Council meeting. Councilmember Petito **MOVED**

That it was the sense of the Council to develop possible amendments to the introduced ordinance at the Council work session on January 23<sup>rd</sup>, and that consideration of Ordinance 2011-05 thus be specifically deferred to the February meeting. The motion was seconded by Councilmember Irons and was **PASSED** unanimously.

Resident Warren Kornberg commended the Council for the synthesis of necessary changes, but stated that he remained concerned about more extensive changes to the Town's zoning still to come. Mr. Kornberg was also concerned about the treatment of exempt projections into the setbacks, and wanted to be sure that they were fully included in the calculation of lot coverage. Resident Natalie Shelton noted that properly designed projections add character to houses. Councilmember Irons agreed to develop a comprehensive list of issues that should be considered in amending the introduced ordinance.

- Introduction of Ordinance 2012-01: Amending the FY 2012 Capital & Operating Budget – Mayor Keller reviewed the proposed changes to the FY 2012 budget, noting that such revision was typically necessitated due the long period of elapsed time since initial projections and estimates that always underlie adoption of the annual operating and capital budget. Councilmember Irons **MOVED**

That Ordinance 2012-01 amending the FY 2012 operating and capital budget be introduced. Councilmember Petito seconded the motion. There was extended discussion regarding a spreadsheet error, among other items. Councilmember Petito suggested a correction that brought the figures into proper balance, which was accepted by the mover and seconder of the motion. Mayor Keller called for the vote on the corrected motion, which was **PASSED** unanimously (A copy of the ordinance is attached to these minutes)

- Mayor reviews needed assistance – Mayor Keller asked for assistance from Councilmembers on a number of outstanding matters. Councilmembers Mandel and Schulp agreed to continue work on the Quiet Zone matter and MARC-related issues. The Mayor asked for assistance developing better road closure for the Argyle sledding hill. Also, the Mayor noted the need to revisit Town Hall rental fee policy and asked that Councilmembers email any questions or suggestions they might have on this matter to Elizabeth Henley in the Town Office. The Mayor also asked the Council to consider the matter of controlling the use of the Cambria ball field and whether fees should be charged, in what amounts, and to whom. Thought and suggestions should also be emailed to the Town Office so that Elizabeth Henley could organize suggestions and answer questions and report these back to the Council, probably in connection with the FY13 budget work session, at which Town fees are typically reviewed.

**Town Administrator Report:**

- Monthly Financial Report - Administrator Pratt reviewed the monthly financial report with the Council, the question of the spreadsheet error was discussed and Administrator Pratt agreed to send out a corrected report as soon as possible.
- Permits Report - Administrator Pratt reviewed the monthly permits report with the Council.

**Executive Session:** Mayor Keller asked for a motion to go into executive session.

Councilmember Mandel **MOVED**

That the Council go into executive session after the close of the regular meeting to discuss the performance evaluations of employees, pursuant to Section 10-508(a) of the State Government Article of the Annotated Code of Maryland. The motion was seconded by Councilmember Wegner and was **PASSED** unanimously. (Executive form attached to these minutes)

**Adjournment:** The regular meeting was adjourned at 9:45 PM.

Respectfully submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer

Public Body: **Town Council**

Date: **01/09/2012**

Motion By: **Councilmember Mandel**

Place: **Garrett Park Town Hall, 10814 Kenilworth Ave.** Time: **9:50 PM**

Authority: Annotated Code of Maryland, State Government Article: Section 10-508 (a)

---

**Reasons For Closing Meeting**

- ☒ 1. To discuss:
  - (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) any other personnel matter that affects one or more specific individuals.
- ☐ 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- ☐ 3. To consider the acquisition of real property for a public purpose and matters directly related thereto.
- ☐ 4. To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- ☐ 5. To consider the investment of public funds.
- ☐ 6. To consider the marketing of public securities.
- ☐ 7. To consult with counsel to obtain legal advice on a legal matter.
- ☐ 8. To consult with staff, consultants, or other individuals about pending or potential litigation.
- ☐ 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- ☐ 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.
- ☐ 11. To prepare, administrate, or grade a scholastic, licensing, or qualifying examination.
- ☐ 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- ☐ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- ☐ 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

## TOWN OF GARRETT PARK

### Proposed Changes to FY 2012 Budget

January 9, 2016

RECEIPTS	<b>2</b>	<b>4</b>	<b>5</b>
	FY 2012 Current Budget	Revised FY 2012 Budget	
		Ord. 2012-01 As Introduced	Changes to FY 2012 Budget
<b><u>1000 - Taxes &amp; Fees</u></b>	<b><u>\$760,450</u></b>	<b><u>\$783,935</u></b>	<b><u>\$23,485</u></b>
<b>1100 -- Local Property Taxes</b>	<b>\$563,350</b>	<b>\$535,960</b>	<b>(\$27,390)</b>
1110 -- Real Property Taxes	\$508,500	\$508,500	\$0
1120 -- Personal Property Taxes	\$53,500	\$27,010	(\$26,490)
1170 -- Penalties & Interest	\$1,000	\$400	(\$600)
1180 -- Homestead Tax Credit	\$350	\$50	(\$300)
<b>1200 -- Local Income Taxes</b>	<b>\$185,000</b>	<b>\$235,000</b>	<b>\$50,000</b>
<b>1300 -- Other Local Taxes</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>1400 -- Licenses and Permits</b>	<b>\$12,100</b>	<b>\$12,975</b>	<b>\$875</b>
<b><u>2000 - Intergovernmental Rev.</u></b>	<b><u>\$38,050</u></b>	<b><u>\$47,890</u></b>	<b><u>\$9,840</u></b>
2200 -- From State of Maryland	\$3,000	\$3,000	\$0
2300 -- From Montgomery County	\$35,050	\$44,890	\$9,840
<b><u>3000 - Services Charges</u></b>	<b><u>\$130,500</u></b>	<b><u>\$130,250</u></b>	<b><u>(\$250)</u></b>
3100 -- General Government Charges	\$500	\$250	(\$250)
3200 -- Municipal Refuse Fee	\$130,000	\$130,000	\$0
<b><u>4000 - Fines &amp; Forfeitures</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b><u>5000 - Miscellaneous Receipts</u></b>	<b><u>\$140,800</u></b>	<b><u>\$142,600</u></b>	<b><u>\$1,800</u></b>
5100 -- Investment Earnings	\$1,350	\$3,400	\$2,050
<b>5200 -- Rents and Concessions</b>	<b>\$128,900</b>	<b>\$128,900</b>	<b>\$0</b>
5210 -- Town Hall Rents	\$19,250	\$19,250	\$0
5220 -- Penn Place Rents	\$107,340	\$107,340	\$0
5230 -- Swimming Pool Assoc.	\$2,310	\$2,310	\$0
<b>5300 -- Contributions/Donations</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$0</b>
5500 -- Sale of Property	\$550	\$300	(\$250)
5900 -- Miscellaneous - Other	\$0	\$0	\$0
<b>Annual Operating Receipts:</b>	<b>\$1,069,800</b>	<b>\$1,104,675</b>	<b>\$34,875</b>
<b><u>9000 - Transfers In1,2</u></b>	<b><u>\$330,305</u></b>	<b><u>\$333,805</u></b>	<b><u>\$3,500</u></b>
<b>Total Receipts: Budgeted:</b>	<b>\$1,400,105</b>	<b>\$1,438,480</b>	<b>\$38,375</b>

# TOWN OF GARRETT PARK

## Proposed Changes to FY 2012 Budget

January 9, 2016

EXPENDITURES	<b>2</b>	<b>4</b>	<b>5</b>
	FY 2012	Revised FY 2012 Budget	
	Current Budget	Ord. 2012-01 As Introduced	Changes to FY 2012 Budget
<b><u>10000 - Personnel</u></b>	<b><u>\$383,385</u></b>	<b><u>\$386,355</u></b>	<b><u>\$2,970</u></b>
10100 -- Salaries	\$270,700	\$270,700	\$0
10200 -- Overtime	\$5,000	\$5,000	\$0
10300 -- Benefits	\$81,435	\$85,655	\$4,220
10400 -- Payroll Taxes, Etc.	\$26,250	\$25,000	(\$1,250)
<b><u>11000 - Town Administration</u></b>	<b><u>\$78,850</u></b>	<b><u>\$79,900</u></b>	<b><u>\$1,050</u></b>
11100 -- Elected/App. Officials	\$2,750	\$2,750	\$0
11200 -- Elections	\$1,250	\$1,500	\$250
11300 -- Archives/Public Records	\$17,000	\$19,750	\$2,750
11400 -- Gen. Admin. Expenses	\$19,400	\$19,650	\$250
11700 -- Professional Fees	\$28,000	\$27,500	(\$500)
11800 -- Insurance	\$9,350	\$7,650	(\$1,700)
11900 -- Town Admin. - Other	\$1,100	\$1,100	\$0
<b><u>12000 - Sponsorships, Etc.</u></b>	<b><u>\$5,000</u></b>	<b><u>\$4,825</u></b>	<b><u>(\$175)</u></b>
12100 -- Membership Dues	\$3,500	\$3,275	(\$225)
12200 -- Sponsorships	\$1,300	\$1,300	\$0
12300 -- Subscriptions	\$200	\$250	\$50
<b><u>13000 - Building &amp; Grounds</u></b>	<b><u>\$88,550</u></b>	<b><u>\$92,050</u></b>	<b><u>\$3,500</u></b>
13100 -- B&G Management	\$250	\$250	\$0
13200 -- Penn Place	\$73,100	\$73,100	\$0
13300 -- Town Hall	\$13,200	\$13,200	\$0
13400 -- Maintenance Facility	\$2,000	\$2,000	\$0
13500 -- Community Center	\$0	\$3,500	\$3,500
<b><u>14000 - Town Services</u></b>	<b><u>\$228,700</u></b>	<b><u>\$224,200</u></b>	<b><u>(\$4,500)</u></b>
14100 -- Roads & Sidewalks	\$67,900	\$62,650	(\$5,250)
14200 -- Stormwater Drainage	\$500	\$500	\$0
14300 -- Municipal Refuse	\$128,700	\$128,700	\$0
14400 -- Arboretum	\$27,000	\$27,000	\$0
14500 -- Fees	\$1,600	\$1,600	\$0
14600 -- Parks	\$3,000	\$3,750	\$750
<b><u>16000 - Equipment M&amp;R</u></b>	<b><u>\$12,625</u></b>	<b><u>\$12,625</u></b>	<b><u>\$0</u></b>
<b><u>17000 - Publication Expenses</u></b>	<b><u>\$800</u></b>	<b><u>\$750</u></b>	<b><u>(\$50)</u></b>
<b><u>18000 - Conf. &amp; Conv.</u></b>	<b><u>\$2,000</u></b>	<b><u>\$2,000</u></b>	<b><u>\$0</u></b>



EXPENDITURES	<b>2</b>	<b>4</b>	<b>5</b>
	<b>FY 2012</b>	<b>Revised FY 2012 Budget</b>	
	<b>Current Budget</b>	<b>Ord. 2012-01 As Introduced</b>	<b>Changes to FY 2012 Budget</b>
<u>19000 - Contingency</u>	<u>\$40,000</u>	<b><u>\$25,000</u></b>	<b><u>(\$15,000)</u></b>
<u>20000 - Int., Depr'c'n, Debt</u>	<u>\$61,025</u>	<b><u>\$61,025</u></b>	<b><u>\$0</u></b>
<u>21000 - Taxes/Bad Debt</u>	<u>\$4,750</u>	<b><u>\$4,750</u></b>	<b><u>\$0</u></b>
Total Operating Expense:	\$905,685	<b>\$893,480</b>	(\$12,205)
<u>23000 - To Capital Fund*</u>	<u>\$494,420</u>	<b><u>\$542,000</u></b>	<b><u>\$47,580</u></b>
<u>25000 - To Operating Reserve</u>	<u>\$0</u>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
Expenses: Budgeted:	\$1,400,105	<b>\$1,435,480</b>	\$35,375

**TOWN OF GARRETT PARK**  
**Proposed Changes to the FY 2012 Budget**  
**Capital Budget**

**FY 2012**

<b>Account</b>	<b>2</b>	<b>6</b>	<b>7</b>
	<b>FY 2012 Current Capital Budget</b>	<b>Ord. 2012-01 Rev. Capital Budget</b>	<b>Change in FY 2012 Capital Budget</b>
	<b>Ord. 2011-04</b>	<b>As Introduced</b>	<b>As Introduced</b>
<b><u>23000 - CAPITAL BUDGET</u></b>	<b><u>\$494,420</u></b>	<b><u>\$542,000</u></b>	<b><u>\$47,580</u></b>
<b>23100 - Capital Purchases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>23200 - Capital Construction</b>	<b>\$469,750</b>	<b>\$524,500</b>	<b>\$54,750</b>
23210 - Construction: Facilities	\$17,500	\$51,500	\$34,000
23220 - Construction: Streets & Curbs	\$97,250	\$128,000	\$30,750
23230 - Construction: Utilities	\$0	\$0	\$0
23240 - Construction: Sidewalks	\$165,000	\$157,500	(\$7,500)
23250 - Construction: Storm Drains	\$185,000	\$182,500	(\$2,500)
23260 - Construction: Parks & Rec.	\$5,000	\$5,000	\$0
23290 - Construction: Other	\$0	\$0	\$0
<b>23300 - Arboretum Capital Expense</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$0</b>
<b>23800 - Capital Planning Expense</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$0</b>
<b>23900 - Capital Budget Contingency</b>	<b>\$17,170</b>	<b>\$10,000</b>	<b>(\$7,170)</b>

# TOWN OF GARRETT PARK

## Proposed Changes to the FY 2012 Budget

### Capital Program

#### FY 2012

	<b>2</b>	<b>6</b>	<b>7</b>
<b>Project</b>	<b>Current Capital Program</b>	<b>Ord. 2012-01 Rev. Capital Program</b>	<b>Change in FY 2012 Capital Budget</b>
	<b>07/02/15</b>	<b>As Introduced</b>	<b>As Introduced</b>
<b>CAPITAL PROGRAM</b>	<b>\$494,420</b>	<b>\$542,000</b>	<b>\$47,580</b>
<b>Capital Purchases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Capital Construction</b>	<b>\$469,750</b>	<b>\$524,500</b>	<b>\$54,750</b>
Argyle Curb & Gutter Replacement (FY11,12)	\$22,250	\$23,000	\$750
Cambria Park Playground (FY10)	\$0	\$0	\$0
Cambria Tennis Court (FY10, 11)	\$0	\$0	\$0
Community Center Curb & Gutter (FY12)	\$0	\$7,500	\$7,500
Community Center Drainage (FY12)	\$0	\$10,000	\$10,000
Kenilworth & Oxford Sidewalks (FY11)	\$50,000	\$47,500	(\$2,500)
Kenilworth: Strathmore to Waverley West (FY11, 12)	\$50,000	\$50,000	\$0
Kenilworth: Strathmore to Waverley East (FY11, 12)	\$65,000	\$60,000	(\$5,000)
Kenilworth/Waverly Triangle Repairs (FY12)	\$0	\$0	\$0
North Kenilworth Curb Repair (FY11)	\$75,000	\$105,000	\$30,000
North Kenilworth Drain (FY09, 10)	\$100,000	\$97,500	(\$2,500)
Penn Place Exterior Repairs (FY10, 11)	\$5,000	\$3,000	(\$2,000)
Penn Place Interior Repairs (FY 11)	\$2,500	\$1,000	(\$1,500)
Penn Place Roof Repairs (FY 11)	\$5,000	\$25,000	\$20,000
Shelley Court Drain Repairs	\$85,000	\$85,000	\$0
Street Rehabilitation (FY09, 10)	\$0	\$0	\$0
Town Hall Rear Wall Repairs (FY12)	\$5,000	\$5,000	\$0
Yeandle Park (FY11)	\$5,000	\$5,000	\$0
Capital Construction - Other1	\$0	\$0	\$0
<b>Arboretum Capital Expense</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$0</b>
<b>Capital Planning</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$0</b>
<b>Capital Contingency</b>	<b>\$17,170</b>	<b>\$10,000</b>	<b>(\$7,170)</b>